

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2281**
Junichi MIYAZAKI et al. : Docket No. 2002_0053A
Serial No. 10/031,396 : Group Art Unit 1648
Filed February 22, 2002 : Examiner Myron G. Hill
A METHOD FOR CONSTRUCTING : **Mail Stop: AF**
RECOMBINANT ADENOVIRUS VECTOR

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1648**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated January 26, 2005 of the Primary Examiner finally rejecting claims 1-4 and 9-11.

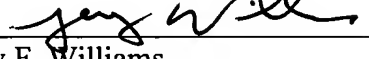
- (X) A timely response to the final rejection is being filed concurrently herewith.
- (X) The extension fee of \$1,020.00 for a three month extension of time is submitted with the attached Petition for Extension of Time.
- (X) The Appeal Fee of ☒ \$500.00 (other than Small Entity)
☐ \$250.00 (Small Entity)
- (X) is enclosed
() is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.
- () Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
() is enclosed.
() has been previously submitted.

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

() The Appeal Fee is not required since it was paid in a prior appeal.

Respectfully submitted,

Junichi MIYAZAKI et al.

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